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FROM DIRECTORS OFFICE**

DEC 07 2004

TECHNOLOGY CENTER 3600

In re Application of:
William E. Peterson Jr., et al.
Serial No. 10/805,143
Filed: March 19, 2004
For: CRIB WITH HIDDEN HARDWARE

**DECISION ON PETITION
TO MAKE SPECIAL
(APPLICANT'S HEALTH)**

This is a decision on the petition filed September 3, 2004 under 37 CFR 1.102 (c) to make the above-identified application special under the procedure set forth in MPEP 708.02, Section III: Applicant's Health. There is no fee for this petition.

A grantable petition to make an application special under 37 C.F.R. 1.102(c), MPEP 708.02, Section III requires evidence that the state of health of the applicant is such that he might not be able to assist in the prosecution of the application if it were to run its normal course.

The petition includes a letter from co-inventor Manuel Cardona's physician attesting to the fact that Mr. Cardona has HIV infection. However, the letter merely documents an existing medical condition. The petitioner has not provided evidence establishing that Mr. Cardona's medical condition might result in the inability of the Mr. Cardona to assist in prosecution of the application if it were to run its normal course.

For the above stated reasons, the petition is **DISMISSED**.

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RAR: 12/2/04